

An act to amend Sections 17295 and 81133 of the Education Code,
relating to school facilities.

SECURED
COPY

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 17295 of the Education Code is amended to read:

17295. (a) (1) The Department of General Services shall pass upon and approve or reject all plans for the construction or, if the estimated cost exceeds ~~twenty-five~~ one hundred thousand dollars (~~\$25,000~~), (\$100,000), the alteration of any school building.

(2) To enable the Department of General Services to pass upon and approve plans pursuant to this subdivision, the governing board of each school district and any other school authority before adopting any plans for the school building shall submit the plans to the Department of General Services for approval, and shall pay the fees prescribed in this article.

(b) Notwithstanding subdivision ~~(a)~~ of Section 17295, (a), where the estimated cost of the reconstruction or alteration of, or an addition to, any school building exceeds ~~twenty-five~~ one hundred thousand dollars (~~\$25,000~~) (\$100,000), but does not exceed ~~one two hundred twenty-five~~ thousand dollars (~~\$100,000~~), (\$225,000), a licensed structural engineer shall examine the proposed project to determine if it is a nonstructural alteration or a structural alteration. If he or she determines that the project is a nonstructural alteration, he or she shall prepare a statement so indicating. If he or she determines that the project is structural, he or she shall prepare plans and specifications for the project which shall be submitted to the Department of General Services for review and approval. A copy of the engineer's report stating that the work does not affect structural elements shall be filed with the Department of General Services.

(c) If a licensed structural engineer submits a report to the Department of General Services stating that the plans or activities authorized pursuant to subdivision (b) do not involve structural elements, then all of the following shall apply to that project:

(1) The design professional in responsible charge of the project undertaken pursuant to this subdivision shall certify that the plans and specifications for the project meet any applicable fire and life safety standards, and do not affect the disabled access requirements of Section 4450 of the Government Code, and shall submit this certification to the ~~department~~ Department of General Services. The letter of certification shall bear the identifying licensing stamp or seal of the design professional. This ~~provision paragraph~~ does not preclude a design professional from submitting plans and specifications to the ~~department~~ Department of General Services along with the appropriate fee for review.

(2) Within 10 days of the completion of any project authorized pursuant to subdivision (b), the school construction inspector of record on the project, who is certified by the ~~department~~ Department of General Services to inspect school buildings, shall certify in writing to the ~~department~~ Department of General Services that the reconstruction, alteration, or addition has been completed in compliance with the plans and specifications.

(3) The dollar amounts cited in this section shall be increased on an annual basis, commencing January 1, ~~1999~~, 2018, by the ~~department~~ Department of General Services according to an inflationary index governing construction costs that is selected and recognized by the ~~department~~ Department of General Services.

(4) No school district shall subdivide a project for the purpose of evading the limitation on amounts cited in this section.

(d) For purposes of this section, “design professional in responsible charge” or “design professional” means the licensed architect, licensed structural engineer, or licensed civil engineer who is responsible for the completion of the design work involved with the project.

SEC. 2. Section 81133 of the Education Code is amended to read:

81133. (a) The Department of General Services shall pass upon, and approve or reject, all plans for the construction or, if the estimated cost exceeds ~~twenty-five~~ one hundred thousand dollars ~~(\$25,000), (\$100,000)~~, the alteration of any school building. To enable it to do so, the governing board of each community college district and any other school authority before adopting any plans for the school building shall submit the plans to the Department of General Services for approval, and shall pay the fees prescribed in this article.

(b) Notwithstanding subdivision (a), where the estimated cost of reconstruction or alteration of, or addition to, a school building exceeds ~~twenty-five~~ one hundred thousand dollars ~~(\$25,000), (\$100,000)~~, but does not exceed ~~one~~ two hundred ~~twenty-five~~ thousand dollars ~~(\$100,000), (\$225,000)~~, a licensed structural engineer shall examine the proposed project to determine if it is a nonstructural alteration or a structural alteration. If he or she determines that the project is a nonstructural alteration, he or she shall prepare a statement so indicating. If he or she determines that the project is structural, he or she shall prepare plans and specifications for the project which shall be submitted to the Department of General Services for review and approval. A copy

of the engineer's report stating that the work does not affect structural elements shall be filed with the Department of General Services.

(c) If a licensed structural engineer submits a report to the Department of General Services stating that the plans or activities authorized pursuant to subdivision (b) do not involve structural elements, then all of the following shall apply to that project:

(1) The design professional in responsible charge of the project undertaken pursuant to this subdivision shall certify that the plans and specifications for the project meet any applicable fire and life safety standards, and do not affect the disabled access requirements of Section 4450 of the Government Code, and shall submit this certification to the ~~department~~ Department of General Services. The letter of certification shall bear the identifying licensing stamp or seal of the design professional. This ~~provision~~ paragraph does not preclude a design professional from submitting plans and specifications to the ~~department~~ Department of General Services along with the appropriate fee for review.

(2) Within 10 days of the completion of any project authorized pursuant to subdivision (b), the school construction inspector of record on the project, who is certified by the ~~department~~ Department of General Services to inspect school buildings, shall certify in writing to the ~~department~~ Department of General Services that the reconstruction, alteration, or addition has been completed in compliance with the plans and specifications.

(3) The dollar amounts cited in this section shall be increased on an annual basis, commencing January 1, ~~1999~~, 2018, by the ~~department~~ Department of General Services

according to an inflationary index governing construction costs that is selected and recognized by the ~~department~~. Department of General Services.

(4) No ~~school~~ community college district shall subdivide a project for the purpose of evading the limitation on amounts cited in this section.

(5) Before letting any contract for any construction or alteration of any school building, the written approval of the plans, as to safety of design and construction, by the Department of General Services, shall first be had and obtained.

(6) In each case the application for approval of the plans shall be accompanied by the plans and full, complete, and accurate specifications, and structural design computations, and estimates of cost, which shall comply in every respect with any and all requirements prescribed by the Department of General Services.

(7) (A) The application shall be accompanied by a filing fee in amounts as determined by the Department of General Services based on the estimated cost according to the following schedule:

(i) For the first one million dollars (\$1,000,000), a fee of not more than 0.7 percent of the estimated cost.

(ii) For all costs in excess of one million dollars (\$1,000,000), a fee of not more than 0.6 percent of the estimated cost.

(B) The minimum fee in any case shall be two hundred fifty dollars (\$250). If the actual cost exceeds the estimated cost by more than 5 percent, a further fee shall be paid to the Department of General Services, based on the above schedule and computed on the amount by which the actual cost exceeds the amount of the estimated cost.

(8) (A) All fees collected under this article shall be paid into the State Treasury and credited to the Public School Planning, Design, and Construction Review Revolving Fund, and are continuously appropriated, without regard to fiscal years, for the use of the Department of General Services, subject to approval of the Department of Finance, in carrying out this article.

(B) Adjustments in the amounts of the fees, as determined by the Department of General Services and approved by the Department of Finance, shall be made within the limits set in paragraph (7) in order to maintain a reasonable working balance in the fund.

(9) No contract for the construction or alteration of any school building, made or executed by the governing board of any community college district or other public board, body, or officer otherwise vested with authority to make or execute this contract, is valid, and no public money shall be paid for any work done under this contract or for any labor or materials furnished in constructing or altering the building, unless the plans, specifications, and estimates comply in every particular with the provisions of this article and the requirements prescribed by the Department of General Services and unless the approval thereof in writing has first been had and obtained from the Department of General Services.

(d) For purposes of this section, “design professional in responsible charge” or “design professional” means the licensed architect, licensed structural engineer, or licensed civil engineer who is responsible for the completion of the design work involved with the project.

LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: School facilities: Department of General Services: approvals.

Existing law establishes a system of public elementary and secondary education in this state in which local educational agencies provide instruction in kindergarten and grades 1 to 12, inclusive, in the public elementary and secondary schools. Existing law also establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and authorizes community college districts throughout the state to provide instruction at the campuses they operate.

With respect to facilities for both public elementary and secondary schools and for community colleges, existing law requires that the Department of General Services pass upon and approve or reject all plans for the construction of, or, if the estimated cost exceeds \$25,000, the alteration of, any school building. Existing law also requires, where the estimated cost of the reconstruction or alteration of, or an addition to, any school building exceeds \$25,000, but does not exceed \$100,000, that a licensed structural engineer examine the proposed project to determine if it is a nonstructural alteration or a structural alteration, as specified. Existing law authorizes the Department of General Services to increase the dollar amounts referenced above on an annual basis,

commencing on January 1, 1999, according to an inflationary index governing construction costs that is selected and recognized by the department.

This bill would increase from \$25,000 to \$100,000 the estimated cost threshold for the requirement that the Department of General Services pass upon and approve or reject all plans for the construction or alteration of any school building. The bill would also increase the amounts in existing law so that, where the estimated cost of the reconstruction or alteration of, or an addition to, any school building exceeds \$100,000, but does not exceed \$225,000, a licensed structural engineer would be required to examine the proposed project as specified. The bill would authorize the Department of General Services to increase these dollar amounts on an annual basis, commencing on January 1, 2018, according to an inflationary index governing construction costs as referenced above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.